

4/16/19

10:53 AM.

Chapter No. 33  
19/HR43/A501SG  
CS1 / FF

# ***HOUSE BILL NO. 1639***

Originated in House  Clerk

HOUSE BILL NO. 1639

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2019, and ending June 30, 2020 .....

..... \$ 12,213,658.00.

**SECTION 2.** Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	141
	Part Time .....	0
Time-Limited:	Full Time .....	1
	Part Time .....	2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2021 do not exceed Fiscal Year 2020 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2020 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2020 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2020 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for all full-time employees to receive up to a Three Percent (3%) pay increase to the realignment

component of the Variable Compensation Plan, excluding head of agencies, board members and commission members.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

**SECTION 3.** It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2019. It is further the intention of the Legislature that

the agency's budget request for Fiscal Year 2021 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2020 budget request process.

**SECTION 4.** In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	102,000
Average Cost Per License Issued (\$)	35.00
Number of Agent's C/A's Issued	350,000
Average Cost Per Agent C/A Issued (\$)	30.00
Number of Requests for Assistance	12,200
Average Cost Per Customer I/C Addressed (\$)	34.00
Number of Fire Marshal Investigations	1,100
Cost Per Fire Marshal Investigation (\$)	550.00
Number of Fire Marshal Inspections	8,100
Average Cost Per Fire Marshal Inspection (\$)	60.00

Liquefied Compressed Gas

Number of Accidents/Injuries/Deaths due	
to Incidents Involving LCG	0.00
Number of Inspections	6,400
Average Cost Per Inspection (\$)	60.00
Number of Safety Training Schools/Seminars	160
Average Cost Per Safety Training School (\$)	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2021.

**SECTION 5.** Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

**SECTION 6.** Of the funds appropriated under the provisions of Section 1, funds in the amount of Ten Thousand Dollars (\$10,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

**SECTION 7.** It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has

made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

**SECTION 8.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

**SECTION 9.** Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

**SECTION 10.** Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

**SECTION 11.** The following sum, or so much thereof as may be necessary and contingent upon the passage of HB 444, 2019 Regular Session, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2019, and ending June 30, 2020 .....

..... \$ 3,500,000.00.

Of this amount, One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for the purchase of a fire truck for the Inverness Fire Department to service Mississippi Delta Community College, and One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for the purchase of a fire truck for the Decatur Fire Department to service East Central Community College.

**SECTION 12.** The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury



to the credit of the Propane Education and Research Program Fund,  
for the purpose of research and development of more cost effective  
uses of propane and on educational programs, safety programs, and  
market development of propane for the fiscal year beginning July  
1, 2019, and ending June 30, 2020 .....\$ 180,000.00.

**SECTION 13.** The money herein appropriated shall be paid by  
the State Treasurer out of any money in the State Treasury to the  
credit of the proper fund or funds as set forth in this act, upon  
warrants issued by the State Fiscal Officer; and the State Fiscal  
Officer shall issue his warrants upon requisitions signed by the  
proper person, officer or officers, in the manner provided by law.

**SECTION 14.** This act shall take effect and be in force from  
and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 27, 2019

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 28, 2019

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

*April 16, 2019  
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